

RECKITT BENCKISER

Our ref: KC/SW/11346P5 WO

17 August 2005

BY COURIER

European Patent Office
P.B.5818 Patentlaan 2
NL-2280
HV Rijswijk
The Netherlands

Dear Sirs

Re: **International Patent Application No. PCT/GB2004/004369**
Reckitt Benckiser (Australia) Pty Limited

In response to the Written Opinion of the International Search Authority dated 15 April 2005, we hereby request International Preliminary Examination of the above Application based on the Claims as filed herewith. Manuscript amended Claims are also enclosed to assist the Examiner. In this connection, a PCT Demand Form, together with a fee sheet is also enclosed.

The Claims filed herewith have been amended in order to distinguish the invention in view of the document cited by the Examiner. We respectfully disagree that EP792581 (D1) discloses all of the features of Claim 1. We believe that D1 neither teaches nor suggests a packaging means comprising a top, base and a longitudinal member extending there between so as to impose verticality (height) to the substrate thereby achieving increased rates of emanation, a clarifying amendment has been introduced into Claim 1. Claim 1 therefore recites :

A packaging means for retaining vapour active pyrethroids comprising a holder and a cellulosic based substrate or matrix impregnated and/or dosed with the vapour active pyrethroid, wherein the holder comprises a top, a base and a longitudinal member vertically extending from between the top and the base thereby supporting the top and the base in a spaced-apart relationship, and wherein the cellulosic based substrate or matrix has a honeycomb configuration adapted to be retained between the top and the base and has a surface area so as to achieve sufficient emanation of the vapour active pyrethroid to control flying insects.

Claim 54 has also been similarly amended. In the light of these clarifying amendments, we submit that Claims 1 to 43, 46 and 54 to 57 are both novel and inventive over D1.

Regarding FR 1 087 662 (D2), it appears that this describes a support for retaining an insecticide. It also appears from the figures that by virtue of the loops (5) and hooks (6), the support is intended to be suspended from, for example, a ceiling which is clearly different to the packaging means comprising a top, base and a longitudinal member for imparting verticality (height) to the substrate so as to achieve increased rates of emanation.

We also note that D2 exemplifies chlordane, lindane, HCH and DDT as suitable insecticides. As these insecticides are ineffective by vapour action, it appears the support must be designed such that insects would need to come into contact with the actual support in order to be affected by the insecticide. In contrast to the present invention therefore, the design or positioning of the support would not have a direct bearing on the effectiveness of the insecticide. As such, the teaching of this document is quite different to that of the present invention.

In view of the above comments and the amendments to Claims 1 and 54, we submit the claims are both novel and inventive over the teaching of D2. We therefore look forward to receipt of a favourable International Examination Report in due course.

Finally, we enclose EPO Form 1037 to serve as acknowledgement of receipt.

Yours faithfully



CAWDELL, Karen Teresa
Authorised Representative

Reckitt Benckiser plc

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